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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
09000003AA

In Re Application Of: **PILJAC, ET AL.**

lfw

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/644,984	8/24/00	H. Owens Jr.	30743	1623	2601

Title: **USE OF RHAMNOLIPIDS IN WOUND HEALING, TREATING BURN SHOCK, ATHEROSCLEROSIS, ORGAN TRANSPLANTS, DEPRESSION, SCHIZOPHRENIA AND COSMETICS**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. Petition to Reinstate Application and, in the alternative, Petition to Revive Application under 37 CFR 1.137(b)
2. Copy of Amendment/Reply Transmittal Letter, Response to Restriction Requirement, Petition for Extension of Time
3. Postcard and copy

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-2041** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: **APRIL 25, 2005**

Clyde R Christofferson  
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CUSTOMER NUMBER 30743

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Correspondence

cc:



1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of

Piljac, et al.

Serial No.: 09/644,984

Group Art Unit: 1623

Filed: August 24, 2000

Examiner: H. Owens, Jr.

For: USE OF RHAMNOLIPIDS IN WOUND HEALING, TREATING BURN SHOCK,  
ATHEROSCLEROSIS, ORGAN TRANSPLANTS, DEPRESSION,  
SCHIZOPHRENIA AND COSMETICS

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**PETITION TO REINSTATE APPLICATION  
AND, IN THE ALTERNATIVE,  
PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(B)**

The undersigned requests reinstatement and prompt resumption of examination of this case, in view of the following facts.

- A One-Month Office Action was issued on May 19, 2003.
- A Notice of Abandonment was issued in error on September 24, 2003, prior to expiration of the response period.
- A Reply to the Office Action was timely filed on November 19, 2003, but apparently has not been acted upon because of the erroneous Notice of Abandonment.

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**REMARKS**

In view of the foregoing facts the Applicant desires resumption of prosecution of the application as soon as possible. While the Applicant believes that the apparent abandonment of the application was through no fault of the Applicant, Applicant is concerned that further delay in prosecution will compromise Applicant's intellectual property rights in the subject application and therefore requests expedited processing of this request to resume prosecution of the abandoned application.

Consequently, due regard being taken of workload queues at the Patent Office, if the Petition to Reinstate cannot be promptly considered and acted upon, the Applicant requests that the alternative Petition to Revive be acted upon forthwith, and that the Petition to Reinstate, when acted upon, be treated as a petition to refund the fee for the Petition to Revive.

**PETITION TO REINSTATE**

- Attached hereto is a copy of the Amendment/Reply Transmittal Letter, Response to Restriction Requirement, and Petition for Extension of Time timely filed in the U.S. Patent Office on November 19, 2003. The Patent Office official date stamp, showing receipt in fact of this filing at the PTO on November 19, 2003, is at the top of each page of these filed documents. The attached documents are direct copies from the Official Patent Office Record.
- A Notice of Abandonment was issued on September 24, 2003, nearly two months PRIOR to the expiration of the response period (November 19, 2003).

The premature and erroneous Notice of Abandonment appears to have been entered solely because of an error of the U.S. Patent Office. Consequently, the Applicant hereby

petitions for reinstatement of the application without fee, and further requests that prosecution be resumed without delay.

ALTERNATIVE PETITION TO REVIVE

If the above Petition to Reinstate is dismissed, or cannot be acted upon more promptly than a Petition to Revive, the Applicant hereby petitions for revival of an unintentionally abandoned application under 37 CFR §1.137(b). In furtherance of this Petition to Revive the Commissioner is hereby authorized to charge the Petition Fee of \$750 under 37 CFR §1.17(m) to attorney's deposit account no. 50-2041. It is respectfully requested that the attached copies of the response filed on November 19, 2003 be entered as a suitable reply to the Office Action of May 19, 2003. Further, it is respectfully submitted that the foregoing remarks constitute a suitable statement that any delay in prosecution was unintentional on the part of the Applicant.

If any additional fees are required to grant this petition or to gain entry of the attached Response to Restriction Requirement originally filed on November 19, 2003, the Commissioner is authorized to charge such fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson). Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

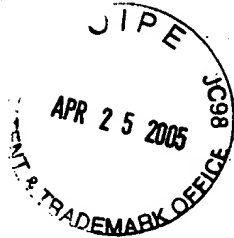
Respectfully submitted,



Clyde R Christofferson  
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Customer Number 30743



Patent  
Attorney's Docket No. 034066-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
)  
Tatjana Piljac ) Group Art Unit: 1623  
)  
Application No.: 09/644,984 ) Examiner: Owens, Howard V. Jr.  
)  
Filed: August 24, 2000 ) Confirmation No.: 2601  
)  
For: USE OF RHAMNOLIPIDS IN WOUND )  
HEALING, TREATING BURN SHOCK, )  
ATHEROSCLEROSIS, ORGAN )  
TRANSPLANTS, DEPRESSION, )  
SCHIZOPHRENIA AND COSMETICS )

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_.
- ☒ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.



Amendment/Reply Transmittal Letter

Application No. 09/644,984

Attorney's Docket No. 034066-002

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☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$86.00 (1201) =	
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					
If small entity status is claimed, subtract 50% of Total Claim Amendment Fee					
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					

☐ A check in the amount of \$ \_\_\_\_\_ is enclosed for the fee due.

☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 18, 2003

By: 

Khaled Shami

Registration No. 38,745

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